

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

PETRÓLEOS DE VENEZUELA, S.A., PDVSA  
PETRÓLEO, S.A., and PDV HOLDING, INC.,

Plaintiffs and Counterclaim Defendants,

- against -

MUFG UNION BANK, N.A. and GLAS  
AMERICAS LLC,

Defendants and Counterclaim Plaintiffs.

No. 19 Civ. 10023 (KPF)

**NOTICE OF MOTION TO  
EXCLUDE THE EXPERT  
TESTIMONY OF  
DAVID C. HINMAN**

ORAL ARGUMENT  
REQUESTED

**PLEASE TAKE NOTICE** that upon the annexed Declaration of Matthew S. Salerno, as well as the exhibits to that declaration, and the accompanying Memorandum of Law, the undersigned, on behalf of Defendants and Counterclaim Plaintiffs MUFG Union Bank, N.A. (the “Trustee”) and GLAS Americas LLC (the “Collateral Agent”), hereby move this Court before the Honorable Katherine Polk Failla, United States District Judge for the Southern District of New York, at the United States Courthouse, 40 Foley Square, Courtroom 618, New York, New York 10007, for an Order excluding the reports and testimony of Plaintiffs’ expert David C. Hinman from this action pursuant to Federal Rules of Evidence 401, 403, and 702 and the Supreme Court’s decision in *Daubert v. Merrill Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993). The grounds for this motion are set forth in the accompanying Memorandum of Law.

Dated: New York, New York  
June 10, 2020

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Plaintiffs MUFG Union Bank, N.A. and  
GLAS Americas LLC, in their respective  
capacities as Trustee and Collateral Agent,  
under the Indenture dated October 27,  
2016, and the Pledge and Security  
Agreement dated October 28, 2016,  
governing PDVSA's Senior Secured Notes  
due 2020 (as to New York law issues only)*

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